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**COURT OF CRIMINAL APPEALS OF TEXAS**

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MICKEY RAY PERKINS

Appellant

v.

THE STATE OF TEXAS,

Appellee

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On Appeal from the 35<sup>th</sup> District Court  
of Brown County, Texas  
Cause No. CR24,903  
(Hon. Stephen Ellis)

and

Cause No. 11-18-00037-CR  
from the  
THE COURT OF APPEALS FOR THE ELEVENTH JUDICIAL DISTRICT  
EASTLAND, TEXAS

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**BRIEF ON THE MERITS**

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## **IDENTITY OF TRIAL COURT, PARTIES AND COUNSEL**

In accordance with Rule 68.4 of the Texas Rules of Appellate Procedure, the following is a list of names and addresses of the trial court, parties and counsel:

**Trial Court:** Hon. Stephen Ellis  
35<sup>TH</sup> Judicial District  
Brown County Courthouse  
200 South Broadway  
Brownwood, Texas 76801

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### **Issue One**

**The Court of Appeals erred in holding the trial court acted within its discretion in allowing the State to introduce extensive details about an extraneous offense during the guilt-innocence phase when Perkins was willing to stipulate to it.**

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**BRIEF ON THE MERITS**

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**TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL  
APPEALS:**

Mickey Ray Perkins, (hereinafter sometimes referred to as “Appellant,”) submits this Brief of Appellant, and would respectfully show unto the Court the following:

## **STATEMENT OF THE CASE**

Perkins was charged by indictment with aggravated assault with a deadly weapon against a family member, Lana Hyles. (CR: 13). The offense was alleged to have been committed on August 30, 2016. (CR: 6, 20, 23). On January 25, 2018, the jury found Perkins guilty. (CR: 143-145). Punishment, assessed by the jury on January 25, 2018, was confinement for twenty-seven years in the Texas Department of Criminal Justice- Institutional Division and a \$5,000.00 fine. (CR: 143-145).

Perkins appealed to the Eleventh Court of Appeals at Eastland, Texas. In an opinion authored by the Honorable Senior Chief Justice Jim Wright, released on February 28, 2020, the Court affirmed Perkins' conviction. (Apx. A).

## **GROUND FOR REVIEW**

### **Issue One**

**The Court of Appeals erred in holding the trial court acted within its discretion in allowing the State to introduce extensive details about an extraneous offense during the guilt-innocence phase when Perkins was willing to stipulate to it.**

## **STATEMENT OF FACTS**

On August 30, 2016, Carol Weathermon was headed to the Humane Society. (RR8: 19). As she was going through an S-shaped curve in the road, she saw blood in the air. (RR8: 19). There was a car on the right hand side of the road, along with Perkins and a woman. (RR8: 19). Perkins was standing and the woman was on the

ground. After Weathermon honked her horn, Perkins attempted unsuccessfully to drag Hyles to the car. (RR8: 20-21). Perkins drove away, and Weathermon assisted Hyles. (RR8: 21-22). Hyles' nose was bleeding profusely. (RR8: 22). Weathermon took her to the hospital. (RR8: 24-25). Bridgetta Harold proved up SX-23, Hyles' medical records from the ER visit in question. (RR8: 44).

Officer Colby Adams testified when he saw Hyles at the hospital, she was having a large gash on her nose cleaned. (RR8: 53). She identified Perkins as her assailant. (RR8: 54). Adams identified SX-2 through SX-5, photographs of Hyles in the ER. (RR8:57).

Brownwood PD Corporal Noe Acosta identified SX-6 through SX-13, photographs of Hyles' vehicle and its contents. (RR8: 75-76).

Lana Hyles testified she and Perkins became boyfriend/girlfriend April/May of 2016. (RR8: 86). The date of the incident in question, Perkins borrowed her vehicle. (RR8: 88). He was to collect her at Brownwood Regional and take her to her apartment. (RR8: 89).

It became evident that he was not going to take her home, and an argument ensued. (RR8: 89-90).

He pushed her head into the dash, and she bit his finger. (RR8: 90). He choked her and she had some difficulty breathing. (RR8: 90-1). She removed her seatbelt and got out of the car with it still moving. (RR8: 91-2).

She identified SX-14 through SX-20, a testy text exchange between her and Perkins. (RR8: 100-102). The bag depicted in SX-12 was Perkins' clothes. (RR8: 112).

She identified SX-21 and SX-22, pictures of her nose as it was healing. (RR8: 113). She denied their altercation in the vehicle arising from Perkins telling her he was going to tell her ex-husband he was using drugs. (RR8: 117-118). She denied causing the truck to slam stopped by pulling the gear shift. (RR8: 118). She received butterfly stitches to her nose. (RR8: 119). An LVN friend doctored her nose for a week. (RR8: 119).

Leslie McCarty was Hyles' neighbor at an apartment complex. (RR8: 1367). Hyles asked her help dealing with Perkins. (RR8: 137). She believed Hyles asked her to come over the night of the nose injury. (RR8: 138-9). Perkins came asking to talk to Hyles. (RR8: 140.). She was initially instructed by Hyles not to let him in. (RR8: 141). After he insisted, Hyles relented and they talked out of McCarty's presence. (RR8: 141-3).

Hyles exhibited fear of Perkins in her presence. (RR8: 143-144).

Over objections which will set forth in Issue One below, Perkins' former girlfriend Sarah Rogers testified. She testified that on February 13, 2016, she and

Perkins went to bed having gone out drinking. (RR9: 39). She woke him up with some difficulty. (RR9:40-1).

He had a mean attitude, and they started arguing. (RR9: 41). He struck her on the head closed fist when she wouldn't be quiet. (RR9: 41-2). He struck her continuously. (RR9: 42). When she woke up she was on the floor at the foot of the bed. (RR9: 43). He hit her in the ribs. (RR9: 43). He drug her by the hair to the living room. (RR9: 43). She got dressed, got her son and called 911. (RR9: 44). She had a brain bleed and broken ribs. (RR9: 45-46).

On August 30, 2016, he contacted her saying he had stage four pancreatic cancer. (RR9: 48). He told her he was running from the cops. (RR9: 49). He joined her in Oklahoma. (RR9: 51).

He told Rogers of Lyles' injuries that he swerved and went in a ditch and that her glasses are what cut her nose. (RR9: 53). On cross-examination, she denied she was on top of him when she woke him. (RR9: 55). She denied he asked her to marry him. (RR9: 57). She was unable to corroborate his claim of pancreatic cancer. (RR9: 58).

Perkins testified as to his prior charges. (RR9: 65-68). Perkins testified on August 30, 2016, he was back in the in the area from Oklahoma City for the Brady goat cookoff. (RR9: 69). He informed Hyles he was coming to the area for the cookoff. (RR9: 69). She asked him for pain pills. (RR9: 69-70). He was to meet her

at the hospital to give them to her. (RR9: 70). She asked him to meet her at the hospital, drive her to her client's house to drop some clothes off, go to Kroger to get her client groceries, then back, and then she was going to go home and he could continue about his day. (RR9: 71). He dropped his motorcycle off. (RR9: 71). When he encountered Hyles at the hospital she was in the passenger seat asking him to drive. (RR9: 71-72). Hyles was not wearing her seatbelt due to stomach pain. (RR9: 72). Perkins testified when he informed her he had told Hyles' ex-husband he had seen drugs in her presence, she angrily forced the gear shift into reverse or park, causing her head to hit the dash with her white glasses on. (RR9: 73-4). He did not drag her, or even get close to her. (RR9: 77). He exhorted her to get in the car because he wanted her to get medical attention. (RR9: 77). Weathermon was coming from the Humane Society, not toward. (RR9: 78). He exhorted her to get in the car. (RR9: 78). She responded, "You want to mess with my life, I will F up yours." (RR9: 79).

She got in the lady's car. (RR9: 79). He got in her car and drove to the hospital. (RR9: 79). He arrived at the hospital in front of them. (RR9: 79). He stayed in the hospital in broad daylight until she refused treatment. (RR9: 80-81). He did not ever have a 417 area code cell phone, and did not text or call her from one. (RR9: 81-82).

Perkins denied having shoved Hyles' head into the dashboard, choking her, or even touching her. (RR9: 86-87).

February 13, 2016, the night of the Rogers incident, they had hit multiple bars. (RR9: 88). Rogers and he were both intoxicated coming home. (RR9: 89). They were intimate, and went to bed. (RR9: 89). He woke up in a dark room, and defended himself. (RR9: 89). He pushed her, and fell off hitting the nightstand. (RR9: 89). When the light was on, he realized it was she. (RR9: 89-90). He identified DX-6, a photo of Rogers. (RR9: 90).

The injury on her face was from hitting the table. (RR9: 91). DX-3 through Dx-5 depict injuries she inflicted upon him. (RR9: 91-2). DX-3 and DX-4 were from her fingernails grasping him. (RR9: 92). With DX-5, she pushed the fan when she left the room, and it hit him. (RR9: 92).

Neither was clothed at the time of the incident. (RR9: 93). He had no intention of hurting Rogers. (RR9: 93). Rogers went back to Oklahoma. (RR9: 93). Perkins testified he went to Oklahoma City to work. (RR9: 94). After learning after going out a couple times in

April that Hyles was still married, he started talking to Rogers again. (RR9: 94). His cancer was stage 2, not 4. (RR9: 94). He proposed to her Christmas 2016. (RR9: 95). He denied having a six-month dating relationship with Hyles, having called it off when he learned she was married. (RR9: 96). The sartorial items in

Hyles' vehicle depicted by SX-10 belonged to Hyles' client or Hyles, not him. (RR9: 97-9).

While in Oklahoma, he did list Hyles' address as a mailing address to avoid a ticket for not updating his license. (RR9: 100-101). He was a salesman for placing vending machines, like cranes, video pokers, jukeboxes, using the d/b/a "Game On." (RR9: 101). He got into the work after meeting with Rogers and a friend in Arkansas. (RR9: 102).

The night of the February 13, 2018 incident, they started at Humphrey Pete's. (RR9: 105). He thinks he drank two beers, and that she drank a margarita. (RR9: 105). They next went to the Crazy Lemon. (RR9: 106). As soon as they got there, they all had a shot of whiskey. (RR9: 106). Rogers and Ronny took another shot of whiskey. (RR9: 106). Perkins had a Jagerbomb. (RR9: 106). Then they finished one more beer. (RR9: 106). They next went to Waylon's and Ray's. (RR9: 106). Perkins had four or five beers. (RR9: 107).

Sarah probably had three or four beers, two or three shots. (RR9: 107). They next went to the Oasis, where he had a shot and was cut off as the driver. (RR9: 108). Sarah had three or four shots. (RR9: 108). For the night, he had eight to ten beers, four or five shots. (RR9: 109). Rogers had probably ten beers, and around eight shots. (RR9: 109). They went to bed and he woke up with someone

screaming and grabbing him. (RR9: 111). He was not struck with anything. (RR9: 112).

He shoved the person off. (RR9: 112). When her son turned the light on in the living room, he realized it was she. (RR9: 112). She took off and slapped the fan, which hit him. (RR9: 113). He thought she was with her son in the house. (RR9: 114). He went to bed rather than check on her and escalate the situation. (RR9: 114). He did not call the cops but threatened to because she as hollering. (RR9: 114-115). He did not know she had left the house and called the police. (RR9: 16).

In March, he moved up to Oklahoma City to work. (RR9: 123). Hyles reached out to him. (RR9: 123). He did not try to communicate with Rogers until April because of the restraining order. (RR9: 123-4). He told her he had been to the doctor, and made her beneficiary and in charge of his medical affairs. (RR9: 124). He denied being the one who sent Hyles the texts in SX-14 and SX-19. (RR9: 133134).

Rogers and he got phones together, hers 479-651-4648, and his 4647. (RR9: 136). He described the incident in which Hyles pushed the gear shift and her injury happened. (RR9: 140). When asked about the button to be depressed to shift gears, he indicated that it does not work, and it shifts loosely. (RR9: 141-2). Perkins denied having assaulted Hyles. (RR9: 167-8).

Sarah Rogers testified her number is 479-651-4647, not 479-651-4648. (RR9: 170). She never shared a phone with Perkins. (RR9: 170). Perkins never proposed to her. (RR9: 170). She did not ever go to the Crazy Lemon. (RR9: 171). The night of the assault they did not start at Humphrey Pete's. (RR9: 171). She received calls from Perkins from February through April 2017. (RR9: 171). She put a block on his calls, not because he started dating Hyles. (RR9: 172).

He had told her he wanted her to have power of attorney over his finances due to his stage four pancreatic cancer. (RR9: 172). That did not happen. (RR9: 172). He wanted her to sign a waiver with his attorney that she would not testify against him. (RR9: 172-3). He had told her when she took him in that the police matter he had been running from had been taken care of. (RR9: 173-4). She testified they did not have a vending business together but they did help a friend of hers. (RR9: 174). It was clarified that the document was an affidavit of non-prosecution. (RR9: 174).

Heather Rye was a friend of Rogers who testified that to her knowledge Rogers' telephone number had not changed. (RR9: 179-180).

Brown County Deputy Shade Tidwell testified that when he investigated the Rogers assault, Perkins indicated he had called 911. (RR9: 198). This was uncorroborated by the dispatchers. (RR9: 198). He indicated he was asleep when the incident started. (RR9: 199). Perkins indicated to investigators Rogers had hit

him with a fan. (RR9: 199). He indicated he pushed her off with a foot. (RR9: 199). He advised that Ms. Rogers then was trying to get back on him, and he pushed her off again, and that's where he got the scratches on his side. (RR9: 199). He did not indicate he fell with Rogers into a table, or that his elbow was injured. (RR9: 200). He indicated he immediately knew it was Rogers after being awakened. (RR9: 200).

Tidwell responded to the Rogers incident around 3:45 a.m. (RR9: 200). Tidwell conceded that alcohol could have affected Perkins' lucidity. (RR9: 201). On re-direct, Tidwell indicated Perkins seemed sure of himself. (RR9: 203).

### **SUMMARY OF THE ARGUMENT**

In this case, the purpose for the extraneous offense under 404(b) is not especially fact-intensive, those facts are highly inflammatory and prejudicial, the time to develop the evidence was extensive, the need for the evidence was de minimis, particularly in the face of an offer of stipulation, and the probative value de minimis beyond what stipulation would provide. The prejudicial nature of the facts and the time taken to develop the extraneous offense would have been entirely cured by the stipulation. The Court of Appeals erred accordingly in holding the trial court acted within its discretion.

### **ARGUMENT AND AUTHORITIES**

#### **Issue One Restated**

**The Court of Appeals erred in holding the trial court acted within its discretion in allowing the State to introduce extensive details about an extraneous offense during the guilt-innocence phase when Perkins was willing to stipulate to it.**

### **Argument and authorities for Issue One**

Outside the jury's presence, the State argued that under Texas Code of Criminal Procedure 38.371, the doctrine of chances, and TRE 404(b)(2), they could introduce evidence Perkins assaulted Sarah Rogers, his girlfriend prior to Hyles. (RR9: 7-9).

Outside the presence of the jury Rogers testified she and Perkins had dated almost seven months prior to February 13, 2016, and cohabitated six months. (RR9: 12).

That night, they went to bed having gone out drinking. (RR9: 13). He assaulted her when she tried to wake him up. (RR9:13-14). He grabbed her by the throat and slung her around. (RR9: 14). He struck her on the head closed fist multiple times. (RR9: 14). She lost consciousness, and when she came to, they wrestled. (RR9: 14). When she woke up she was on the floor at the foot of the bed.

(RR9: 15). He threw her a couple of times, and hit her in the ribs. (RR9: 15). He drug her by the hair to the living room. (RR9: 15). She forcefully got away, got her son and called 911. (RR9: 15-6). She had a brain bleed and broken ribs. (RR9: 17-18).

Defense counsel argued as follows:

The circumstances are completely different. There was no drinking involved, no alcohol involved in this case. There was alcohol involved in that case.

Circumstances are completely different. It doesn't show a pattern or a motive. And he's proffering unproven facts at this point.

He's speculating into what we're going to say or what kind of testimony we're going to have, to say that that's going to rebut it. I don't know how he can do that, Your Honor. I think this is a pending case that has nothing to do with this case. As I said, in the name of judicial efficiency, we're willing to stipulate that it happened, but I think any testimony that she could have concerning a pending case that hasn't even been proven yet would be nothing but prejudicial to the jury, and anything that could actually possibly be probatively obtained from that is going to be far outweighed by its prejudicial effect on the jury. And that's unfair to my client. (RR9: 23).

The Court ruled as follows:

All right. On balance, this is what I'm going to find: I rule that the State is not required to accept the stipulation. I, frankly, wish they would, but they are not. So I do find that, on balance, that the probative value does outweigh the prejudicial nature.

And in this case in particular, when you apply the 38.371 newly enacted Code of Criminal Procedure provisions dealing with situations like this where you've got family violence, and it references the Family Code sections that the State is relying on here concerning dating violence, that I do find that this is -- the probative value outweighs the prejudicial nature. (RR9: 30).

The Court gave the jury the following limiting instruction:

You are instructed that the evidence from Sarah Rogers concerning an alleged offense or offenses, other than the offense alleged in the indictment in this case, may only be considered if, number one, you believe beyond a reasonable doubt that the Defendant committed such other offense, if any; and, two, even then, you may only consider such evidence in determining the intent, motive, or -- of the Defendant, or absence of mistake or lack of accident, or to rebut a defensive theory, if any, in connection with the offense alleged against him in the indictment. You are not to consider this evidence for any other purpose. (RR9: 36).

Texas Rule of Evidence 404(b) states:

*Prohibited Uses.* Evidence of a crime, wrong, or other act is not admissible to prove a person's character in order to show that on a particular occasion the person acted in accordance with the character.

*Permitted Uses; Notice in Criminal Case.* This evidence may be admissible for another purpose, such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident. On timely request by a defendant in a criminal case, the prosecutor must provide reasonable notice before trial that the prosecution intends to introduce such evidence—other than that arising in the same transaction—in its case-in-chief.

When a trial court balances the probative value of the evidence against the danger of unfair prejudice, a presumption exists that favors the evidence's probative value. *Feldman v. State*, 71 S.W.3d 738, 754-55 (Tex. Crim. App. 2002).

The relevant criteria for determining whether the prejudice of admitting the evidence substantially outweighs the probative value include, but are not limited to, the following: (1) the probative value of the evidence; (2) the potential the evidence has to impress the jury in an irrational but nevertheless indelible way; (3)

the time needed to develop the evidence; and (4) the proponent's need for the evidence to prove a fact of consequence. *State v. Mechler*, 153 S.W.3d 435, 440 (Tex. Crim. App. 2005). If the record reveals one or more of these considerations led to a risk that the probative value of the evidence was substantially outweighed by the danger of unfair prejudice, then an appellate court should conclude the trial court abused its discretion in admitting the evidence. *See Reese v. State*, 33 S.W.3d 238, 241 (Tex. Crim. App. 2000).

The Court of Appeals correctly noted that in general, the State may adduce its testimony as it sees fit, and need not accept a stipulation. (Apx A, p.5 ) Without analysis, it distinguished *Robles v. State*, 85 S.W.3d 211 (Tex.Crim.App. 2002), in which the Court of Criminal Appeals held that the trial court erred in denying a defendant's motion to suppress evidence of prior convictions, relying on Rule 403, when the defendant offered to stipulate to the prior convictions. *Id.* at 212-13.

The Court of appeals acknowledged the four-part test under Rules 403 and 404(b), yet utterly failed to conduct any analysis as to how the facts of this case fit into the test. (Apx. A, p. 7). The Court merely notes that the trial court conducted the test and found the evidence admissible. (Apx. A, p. 7).

Applying the test to this case, Appellant would observe as follows:

The probative value of the details of the Rogers incident are hugely lessened by the willingness to stipulate. The State's argument is that under the doctrine of

chances, that Mr. Perkins would accidentally harm two girlfriends is an unlikely coincidence, essentially establishing absence of mistake, or lack of accident. (RR9: 7-9). Stipulating to the Hyles assault would accomplish this.

Although mitigated by the Court's limiting instruction, there is considerable potential for the evidence to impress the jury in irrational way. The alleged injuries and assault in Rogers' case are far more severe than in the instant case. (RR9: 416).

Additionally, the time needed to develop the evidence was substantial. Including her main testimony, rebuttal, and arguments outside the presence of the jury, Rogers' testimony occupied thirty transcript pages. (RR9: 37-58, 170-177). Other rebuttal witnesses regarding the Rogers matter occupied another ten pages of testimony. (RR8: 179-180, 194-195; 197-202). This also goes to factor two, whether the jury would be impressed in an irrational yet indelible way. This case was almost as much about the Rogers incident as it was the Hyles incident. Fourth, the State's need for the evidence was minimal. Again, the willingness to stipulate to the Rogers incident vastly reduces the State's need for the evidence. Further, and obviously, anything Perkins did to Rogers was not a necessary element to prove that he assaulted Hyles.

In *Robles*, 85 S.W.3d at 212-213, the Court of Criminal Appeals held that the trial court erred in denying a defendant's motion to suppress evidence of prior

convictions, relying on Rule 403, when the defendant offered to stipulate to the prior convictions.

Perkins would anticipate the State will argue that the case in *Robles* for stipulation was stronger, as the mere existence of the prior convictions was their real probative value for guilt/innocence purposes. However, the purpose of the evidence for which the evidence was offered and admitted was lack of accident or mistake, and to rebut a defensive theory. (RR9: 36). (Which was accident or mistake.). (RR9: 73-4; 167-8). This is not a case where the minute details of a prior offense are essential to the purpose for admission under 404(b).

Perkins recognizes the purpose for admission of extraneous offenses under 404(b) may in some cases be fact-intensive, such as when showing modus operandi. *See, e.g., Owens v. State*, 827 S.W.2d 911, 914 (Tex. Crim. App. 1992). Naturally, acceptance of a stipulation would not necessarily be required in such a case where the minute details of the extraneous offense were vital to its reason for admission under 404(b).

Here, by contrast, the extraneous offense was used for the purpose of rebutting accident or mistake, the defensive theory. The specific and prejudicially ugly details of the Rogers case were simply not necessary for the jury to hear during guilt-innocence for the purpose of rebutting the defensive theory of accident or mistake.

Perkins would very briefly address Texas Code of Criminal Procedure

38.371. Said statute reads, in pertinent part:

(b) In the prosecution of an offense described by Subsection (a), subject to the Texas Rules of Evidence or other applicable law, each party may offer testimony or other evidence of all relevant facts and circumstances that would assist the trier of fact in determining whether the actor committed the offense described by Subsection (a), including testimony or evidence regarding the nature of the relationship between the actor and the alleged victim.

Although not objected to, the statute would not appear affect the Rule 403 calculus much in this case. Perkins' interactions with Rogers have exceedingly little to do with Perkins' relationship with Hyles. Admittedly, "including" is a term of expansion, but the language regarding the nature of the relationship between the actor and the alleged victim is instructive of the type of evidence contemplated by the statute.

Additionally, the statute further reads:

(c) This article does not permit the presentation of character evidence that would otherwise be inadmissible under the Texas Rules of Evidence or other applicable law.

This would suggest 38.371 should not affect the 403 analysis very much, when the extraneous offense involves a different alleged victim.

The Court of Appeals erred in holding the trial court acted within its discretion in refusing to accept the stipulation. This case should be remanded to the Court of Appeals for harm analysis.

### **CONCLUSION**

In this case, the purpose for the extraneous offense under 404(b) is not especially fact-intensive, those facts are highly inflammatory and prejudicial, the time to develop the evidence was extensive, the need for the evidence was de minimis, particularly in the face of an offer of stipulation, and the probative value de minimis beyond what stipulation would provide. The prejudicial nature of the facts and the time taken to develop the extraneous offense would have been entirely cured by the stipulation. The Court of Appeals erred accordingly in holding the trial court acted within its discretion.

### **PRAYER**

Perkins prays this Court reverses the Court of Appeals' decision and remands for harm analysis.

Respectfully Submitted,

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### **CERTIFICATE OF COMPLIANCE**

Perkins' Brief, according to the word count function of counsel for Perkins' word-processing software, contains 4873 words, even **including** those items permitted to be excluded. As this is within the limits established excluding these items, Perkins respectfully certifies compliance.

/s/Rick Dunbar  
Rick Dunbar

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 8th day of October, 2020, a true and correct copy of the above and foregoing was forwarded upon the Brown County District Attorney's Office and the State Prosecuting Attorney by e-service.

/s/Rick Dunbar  
Rick Dunbar

### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Frederick Dunbar on behalf of Rick Dunbar  
Bar No. 24025336  
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Associated Case Party: State

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